BOARD OF NURSING MEETING MINUTES FEBRUARY 25, 2010

PRESENT: Kay Coppens, Maria Joseph, Marilyn Kaufmann, Gretchen Lowe, Evelyn

Merriett, Julia Nelson, Lou Ann Weix, Margaret Wood

EXCUSED: Kathleen Sullivan

STAFF: Jeff Scanlan, Bureau Director; Colleen Baird, Legal Counsel; Kimberly Wood,

Bureau Assistant and other DRL Staff

GUESTS: Judy Warmuth, Wisconsin Hospital Association (WHA), Gina Dennik-

Champion, Wisconsin Nurses Association (WNA)

CALL TO ORDER

Marilyn Kaufmann, Chair, called the meeting to order at 8:45 a.m. A quorum of eight (8) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda:

• After Item "M" (closed session) Under the item titled "Deliberation of Monitoring Received After Mailing of the Agenda" – ADD:

o Thomas Berthold – Requesting Modification

Delores Moyer – Consideration of Violation of Board Order

MOTION: Julia Nelson moved, seconded by Evelyn Merriett, to approve the February 25,

2010 agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 28, 2010

MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to approve the minutes of

January 28, 2010, as published. Motion carried unanimously.

ADMINISTRATIVE REPORT

Jeff Scanlan reported to the Board regarding the appointment of new board members. He indicated that Nelson Soler has been appointed to the Board. Mr. Soler replaces Margaret Wood as one of the Board's two public members. Jeff Scanlan then presented Margaret Wood with a plaque in recognition of her service to the Board. The Board thanked Margaret Wood for her efforts while serving on the Board of Nursing. The Board discussed its member's terms and eligibility for reappointment.

Jeff Scanlan updated the Board regarding the work of the Impaired Professional Procedure (IPP) Task Force. The Task Force is currently working to implement the Impaired Professional Procedure improvement plan, approved by Secretary Jackson. The Board was advised that the Task Force is reviewing rules which currently restrict the program and are working to identify methods to resolve these

issues. The need for rule writing is anticipated and Michael Berndt, General Counsel, has drafted a scope statement to meet this end. The Board noted that the name of the program is changing from Impaired Professional Procedure (IPP) to Professional Assistance Program (PAP). The Board discussed some of the recommendations that the Task Force will pursue.

The Board's attention was directed to SB 451 relating to hospital staff privileges for and written agreements required for nurse-midwives and allowing nurse-midwives to elect to be covered under the injured patients and families compensation fund. The Board discussed this legislation. Gina Dennik-Champion, WNA, and Judy Warmuth, WHA, commented on this bill and proposed amendments.

Jeff Scanlan advised the Board that Yolanda McGowan, Bureau Director – Division of Board Services, has been hired to fill one of the vacant Legal Counsel positions in the Division of Board Services. She will begin the role of Legal Counsel effective March 1, 2010. He further stated that the Department is still in the process of hiring both paralegals and attorneys. The Board inquired about the status of hiring for the additional staff for Monitoring within the Division of Enforcement and made the following motion.

MOTION: Margaret Wood moved, seconded by Gretchen Lowe, to request an update as to

the status of hiring for monitoring by the end of the day. Motion carried

unanimously.

BOARD ASSIGNMENTS

Screening Panel Rotation:

Marilyn Kaufmann appointed the following individuals to screening panel and updated the Board's panel rotation as follows:

<u>January – June 2010</u>

- Julia Nelson
- Kay Coppens
- Gretchen Lowe

<u>July – December 2010</u>

- Evelyn Merriett
- Maria Joseph
- Kathleen Sullivan
- Nelson Soler

Committee Assignments

Marilyn Kaufmann made appointments as follows:

<u>Education & Licensing Committee</u>: <u>Practice/Discipline Committee</u>

Marilyn Kaufmann (Chair)

Evelyn Merriett

Gretchen Lowe

Julia Nelson

Kathleen Sullivan (Chair)

Gretchen Lowe

Gretchen Lowe Julia Nelson
Maria Joseph Kay Coppens
Lou Ann Weix Lou Ann Weix

Nelson Soler

- Rules & Legislation Committee: Kathleen Sullivan, Lou Ann Weix Alternate
- ➤ IPP Liaison(s): Julia Nelson, Kay Coppens Alternate
- ➤ Board Monitor: Kathleen Sullivan, Julia Nelson Alternate
- ➤ Endorsements/Examinations/Credentialing Liaison: Evelyn Merriett, Lou Ann Weix Alternate
- ➤ Interstate Compact: Bureau Director, Marilyn Kaufmann Alternate

NURSES TRAINED TO RECOGNIZE EFFECTS OF ANTI-PSYCHOTICS IN NURSING HOMES, BLACK BOX WARNING

The Board reviewed the letter submitted and the printed PowerPoint presentation.

REVIEW OF 2009, OBJECTIVES AND GOALS FOR BOARD OF NURSING FOR 2010 AND BEYOND

The Board reviewed the goals it set in 2009. The Board noted that its main priority for 2009 was addressing backlogs in the number of pending cases. The decision to assign Division of Enforcement staff to a dedicated team for the regulation of nursing professions and nursing home administrators was applauded by the Board and the team was recognized for its efficiency in processing pending cases.

The Board then discussed its goals and objectives for 2010. The following areas of focus were identified:

- 1. Timely case completion, team approach, adequate resources, dedicated unit (MEB)
- 2. Remedial education orders, consistency in outcomes, # of hours, approved providers
- 3. Notification (push-out) of change in licensure status to employers
- 4. Appropriate response to practice questions: timely but within resources
- 5. Review results of RN workforce survey
- 6. NURSYS "cases" WI licensed nurse with discipline in another state
- 7. Fingerprint background checks (new nurses)
- 8. Modify Renewal form to request disclosure of discipline or convictions
- 9. Board Member training
- 10. Pass rates for nursing programs posted on DRL website

The Board will continue discussion of its 2010 objectives and goals at its May meeting.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

Marilyn Kaufmann reported to the Board regarding the actions taken at the today's meeting of the Education and Licensure Committee.

Review of Maranatha Baptist Bible College Proposed Course Changes

COMMITTEE MOTION: Margaret Wood moved, seconded by Lou Ann Weix, to recommend

approval for the course changes proposed by Maranatha Baptist

Bible College. Motion carried unanimously.

BOARD MOTION: Lou Ann Weix moved, seconded by Julia Nelson, to approve the

Committee's recommendation for approval for the course changes proposed by Maranatha Baptist Bible College. Motion carried

unanimously.

Review of Quarter 4 NCLEX Pass Rate Data

COMMITTEE MOTION: Lou Ann Weix moved, seconded by Margaret Wood, to recommend

that a congratulatory letter be sent to Bryant and Stratton College indicating that NCLEX-RN pass rates are no longer significantly below the national average and that the monitoring of their program

has been discontinued. Motion carried unanimously.

BOARD MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to approve the

Committee's recommendation for a congratulatory letter be sent to Bryant and Stratton College indicating that NCLEX-RN pass rates are no longer significantly below the national average and that the monitoring of their program has been discontinued. Motion carried

unanimously.

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Margaret Wood, to recommend

that a request for NCLEX-RN pass rate improvement plan be sent to

Fox Valley Technical College. Motion carried unanimously.

BOARD MOTION: Julia Nelson moved, seconded by Evelyn Merriett, to approve the

Committee's recommendation for a request for NCLEX-RN pass rate improvement plan be sent to Fox Valley Technical College.

Motion carried unanimously.

COMMITTEE MOTION: Evelyn Merriett moved, seconded by Lou Ann Weix, to recommend

that a congratulatory letter be sent to Milwaukee School of Engineering indicating that NCLEX pass rates are no longer

significantly below the national average and that the monitoring of their program has been discontinued. Motion carried unanimously.

BOARD MOTION: Lou Ann Weix moved, seconded by Julia Nelson, to approve the

Committee's recommendation for a congratulatory letter be sent to Milwaukee School of Engineering indicating that NCLEX pass rates are no longer significantly below the national average and that the monitoring of their program has been discontinued that a request for NCLEX pass rate improvement plan be sent to Milwaukee School of

Engineering. Motion carried unanimously.

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Evelyn Merriett, to recommend

that a congratulatory letter be sent to Viterbo University indicating that NCLEX pass rates are no longer significantly below the national

average and that the monitoring of their program has been

discontinued. Motion carried unanimously.

BOARD MOTION: Julia Nelson moved, seconded by Evelyn Merriett, to approve the

Committee's recommendation for a congratulatory letter be sent to Viterbo University indicating that NCLEX pass rates are no longer significantly below the national average and that the monitoring of their program has been discontinued. Motion carried unanimously.

REPORT OF PRACTICE COMMITTEE

Julia Nelson reported that there were no actions resulting from today's Practice Committee meeting.

PUBLIC COMMENTS

None.

CLOSED SESSION

MOTION:

Julia Nelson moved, seconded by Lou Ann Weix, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Enforcement case status reports. Roll Call Vote: Kay Coppens-yes; Maria Joseph-yes; Marilyn Kaufmann-yes; Gretchen Lowe-yes; Evelyn Merriett-yes; Julia Nelson-yes; Lou

Ann Weix-yes; Margaret Wood-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:19 a.m.

RECONVENE TO OPEN SESSION

MOTION: Gretchen Lowe moved, seconded by Evelyn Merriett, to reconvene into open

session. Motion carried unanimously.

The Board reconvened into Open Session at 2:14 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF VOTING IS APPROPRIATE

MOTION: Julia Nelson moved, seconded by Lou Ann Weix, to reaffirm all motions made in

closed session. Motion carried unanimously.

IMPAIRED PROFESSIONALS PROGRAM (IPP)

None.

IMPAIRED PROFESSIONALS PROGRAM (IPP) RECEIVED AFTER THE MAILING OF THE **AGENDA**

None.

REVIEW OF APPLICATIONS

None.

None.

MONITORING

CYNTHIA TROTTER, RN REQUESTING FULL REINSTATEMENT

MOTION:

Julia Nelson moved, seconded by Gretchen Lowe, to deny Cynthia Trotter, RN's request for reinstatement of licensure. Reason for Denial: § 441.07 Wis. Stat.: reinstatement of revoked license no earlier than 12 months from revocation. Motion carried unanimously.

KENNETH LANGE, RN REQUESTING REINSTATEMENT

MOTION:

Julia Nelson moved, seconded by Lou Ann Weix, to offer a standard stipulation to Kenneth Lange, RN, granting credit for two (2) years of compliance with Oklahoma. Drug screen frequency is to be set at twenty-eight (28) per year plus one (1) annual hair test, require quarterly work reports, therapy is not required, AA/NA meetings are set at a frequency of twice a week, with work restrictions as indicated in the stipulation, and access is granted. Motion carried unanimously.

KELLY AYERS, RN REQUESTING FULL LICENSURE

MOTION:

Gretchen Lowe moved, seconded by Evelyn Merriett, to deny Kelly Ayers, RN's request for full licensure and requests an explanation for repeated missed call-ins. Reason for Denial: Repeated missed call-ins. Motion carried unanimously.

BARBARA FRANK, RN REQUESTING FULL LICENSURE

MOTION:

Julia Nelson moved, seconded by Evelyn Merriett, to deny Barbara Frank, RN's request for full licensure and requests explanation for positive drug screens. Reason for Denial: Positive drug screens. Motion carried unanimously.

LARISA KLEIN, RN REQUESTING FULL LICENSURE

MOTION:

Gretchen Lowe moved, seconded by Evelyn Merriett, to deny Larisa Klein, RN's request for full licensure and to request the submission of a second opinion from another therapist to be approved by the Board Monitor. Reason for Denial: Subject to a five (5) year Board Order. Motion carried unanimously.

LUCINDA KUJAWA, RN REQUESTING STAY AND MODIFICATION

MOTION:

Gretchen Lowe moved, seconded by Evelyn Merriett, to grant Lucinda Kujawa, RN a continuing stay and to decrease the frequency of drug screens to fourteen (14) per year plus one (1) annual hair test. Motion carried unanimously.

CHARLENE KUECHERER, RN REQUESTING MODIFICATION

MOTION:

Julia Nelson moved, seconded by Lou Ann Weix, to deny Charlene Kuecherer, RN's request for a decrease in the frequency of drug screens and to request an explanation of low creatinine levels and for failure to complete drug screens within the required five (5) hour interval. Reason for Denial: Failure to complete drug screens within the required five (5) hour interval. Motion carried unanimously.

SHERILL ROEDIGER, RN REQUESTING MODIFICATION

MOTION:

Julia Nelson moved, seconded by Evelyn Merriett, that contingent upon receipt of prescriptions, grant Sherill Roediger, RN's request for a decrease in the frequency of drug screens to fourteen (14) per year plus one (1) annual hair test until employment is obtained at which time the frequency of screens will increase to twenty-eight (28) per year plus one (1) annual hair test. Motion carried unanimously.

TRACY RIEL, RN REQUESTING MODIFICATION

MOTION:

Margaret Wood moved, seconded by Gretchen Lowe, to remove Tracy Riel, RN's stay of suspension. Reason for Denial: Per information obtained via work report. Motion carried unanimously.

DELIBERATION OF MONITORING RECEIVED AFTER MAILING OF AGENDA

THOMAS BERTHOLD, RN REQUESTING MODIFICATION

MOTION:

Evelyn Merriett moved, seconded by Lou Ann Weix, to deny Thomas Berthold, RN's request for access and other modifications, to request explanation of missed call -ins and to indicate that the limited license will expire six (6) months from the date the Board Order is signed. Reason for Denial: Missed call-ins and completion of a Board approved RN refresher course does not require access. Motion carried. Abstained: Marilyn Kaufmann

(Marilyn Kaufmann abstained from deliberation and voting pertaining to the request submitted by Thomas Berthold, RN.)

DELORES MOYER, RN CONSIDERATION OF VIOLATION OF BOARD ORDER

MOTION: Margaret Wood moved, seconded by Lou Ann Weix, to remove Delores Moyer,

RN's stay of suspension. Reason for Denial: Lack of audit reports. Motion

carried unanimously.

DELIBERATION OF PROPOSED STIPULATION AND FINAL DECISION AND ORDER

DANICA BOSSERT, LPN (09 NUR 274)

MOTION: Evelyn Merriett moved, seconded by Gretchen Lowe, to adopt the Findings of

Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Danica Bossert, LPN (09 NUR 274). Motion carried

unanimously.

(09 NUR 135)

MOTION: Gretchen moved, seconded by Evelyn, to adopt the Findings of Fact, Conclusions

of Law, Stipulation and Order in the matter of disciplinary proceedings against

Kim M. Clark, RN (09 NUR 135). Motion carried unanimously.

ANGELA M. CRAPE, RN (09 NUR 291)

MOTION: Margaret Wood moved, seconded by Julia Nelson, to adopt the Findings of Fact,

Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Angela M. Crape, RN (09 NUR 291). Motion carried

unanimously.

GREGORY C. HOECHERL, RN (06 NUR 046)

MOTION: Gretchen Lowe moved, seconded by Margaret Wood, to adopt the Findings of

Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Gregory C. Hoecherl, RN (06 NUR 046). Motion carried

unanimously.

LAURA L. MANRIQUEZ, LPN (08 NUR 071)

MOTION: Evelyn Merriett moved, seconded by Lou Ann Weix, to adopt the Findings of

Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Laura Manriquez, LPN (08 NUR 071). Motion carried

unanimously.

JOLYNNE MCLEAN RN (09 NUR 131)

MOTION:

Julia Nelson moved, seconded by Evelyn Merriett, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Jolynne McLean, RN (09 NUR 131). Motion carried unanimously.

ROBIN M. MRAZEK, RN (08 NUR 131)

MOTION:

Gretchen Lowe moved, seconded by Evelyn Merriett, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Robin M. Mrazek, RN (08 NUR 131). Motion carried unanimously.

PAULA M. NOVAK, RN (07 NUR 046)

MOTION:

Margaret Wood moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Paula M. Novak, RN (07 NUR 046). Motion carried unanimously.

JODI L. OMAN, RN (06 NUR 049)

MOTION:

Julia Nelson moved, seconded by Evelyn Merriett, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Jodi L. Oman, RN (06 NUR 049). Motion carried unanimously.

LAWANDA L. ROBINSON, RN (08 NUR 438)

MOTION:

Margaret Wood moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Lawanda L. Robinson, RN (08 NUR 438). Motion carried unanimously.

ANGELA M. SPINHIRNE, RN (09 NUR 347)

MOTION:

Gretchen Lowe moved, seconded by Kay Coppens, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Angela M. Spinhirne, RN (09 NUR 347). Motion carried unanimously.

KATHRYN VANDER WOUDE, RN (08 NUR 440)

MOTION: Margaret Wood moved, seconded by Lou Ann Weix, to adopt the Findings of

Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Kathryn Vande Woude, RN (08 NUR 440). Motion carried

unanimously.

MARY JO WEBBER, RN (09 NUR 125)

MOTION: Evelyn Merriett moved, seconded by Julia Nelson, to adopt the Findings of Fact,

Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against May Jo Webber, RN (09 NUR 125). Motion carried

unanimously.

DELIBERATION OF PROPOSED STIPULATIONS RECEIVED AFTER MAILING OF AGENDA

None.

DELIBERATION OF ISSUANCE OF ADMINISTRATIVE WARNING

06 NUR 132

MOTION: Lou Ann Weix moved, seconded by Julia Nelson, to issue an administrative

warning in the matter of case number 06 NUR 132. Motion carried unanimously.

07 NUR 023

MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to issue an administrative

warning in the matter of case number 07 NUR 023. Motion carried unanimously.

07 NUR 141

MOTION: Margaret Wood moved, seconded by Weix, to issue an administrative warning in

the matter of case number 07 NUR 141. Motion carried unanimously.

08 NUR 125

MOTION: Lou Ann Weix moved, seconded by Julia Nelson, to issue an administrative

warning in the matter of case number 08 NUR 125. Motion carried unanimously.

DELIBERATION OF ADMINISTRATIVE WARNINGS RECEIVED AFTER MAILING OF AGENDA

None.

DELIBERATION OF ORDERS FIXING COSTS RECEIVED AFTER MAILING OF AGENDA

None.

DELIBERATION OF PROPOSED FINAL DECISION AND ORDER IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST SARAH J. CARPENTER, LPN (RESPONDENT), DIV. OF HEARINGS AND APPEALS CASE # DRL-09-057

<u>Consideration of the Division of Enforcement Objections to Proposed Final Decision and Order in the Matter of Disciplinary Proceedings against Sarah J. Carpenter, LPN (Respondent)</u>

MOTION: Evelyn Merriett moved, seconded by Julia Nelson, to prepare a variance

incorporating the Findings of Fact, Conclusions of Law, and Order in the matter of disciplinary proceedings against Sarah J. Carpenter, LPN (Case # DRL-09-

057). Motion carried unanimously.

DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS IN THE MATTER OF DISCIPLINARY PROCEEDINGS RECEIVED AFTER MAILING OF AGENDA

None.

DELIBERATION OF PETITIONS FOR RE-HEARINGS THAT MAY BE SIGNED AFTER MAILING OF AGENDA

None.

DIVISION OF ENFORCEMENT CASE STATUS REPORT & CASE CLOSINGS

06 NUR 304

MOTION: Julia Nelson moved, seconded by Gretchen Lowe, to close case 06 NUR 304 for

M.S. for insufficient evidence. Motion carried unanimously.

10 NUR 075

MOTION: Lou Ann Weix moved, seconded by Julia Nelson, to close case 10 NUR 075 for

prosecutorial discretion (P7). Motion carried unanimously.

07 NUR 203

MOTION: Lou Ann Weix moved, seconded by Julia Nelson, to close case 07 NUR 203 for prosecutorial discretion (P2). Motion carried unanimously.

07 NUR 065

MOTION: Kay Coppens moved, seconded by Lou Ann Weix, to close case 07 NUR 065 for insufficient evidence. Motion carried unanimously.

07 NUR 247

MOTION: Gretchen Lowe moved, seconded by Margaret Wood, to close case 07 NUR 247 for prosecutorial discretion (P2). Motion carried unanimously.

07 NUR 267

MOTION: Maria Joseph moved, seconded by Lou Ann, to close case 07 NUR 267 for no violation. Motion carried unanimously.

07 NUR 342

MOTION: Margaret Wood moved, seconded by Julia Nelson, to close case 07 NUR 342 for no violation. Motion carried unanimously.

09 NUR 277

MOTION: Margaret Wood moved, seconded by Lou Ann Weix, to close case 09 NUR 277 for prosecutorial discretion (P7). Motion carried unanimously.

09 NUR 434

MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to close case 09 NUR 434 for no violation. Motion carried unanimously.

06 NUR 420 & 06 NUR 421

MOTION: Margaret Wood moved, seconded by Maria Joseph, to close case 06 NUR 420 & 04 NUR 421 for prosecutorial discretion. Motion carried unanimously.

08 NUR 058

MOTION: Margaret Wood moved, seconded by Julia Nelson, to close case 08 NUR 058 for no violation. Motion carried unanimously.

07 NUR 175

MOTION: Lou Ann Weix moved, seconded by Julia Nelson, to close case 07 NUR 175 for

prosecutorial discretion (P2). Motion carried unanimously.

09 NUR 141

MOTION: Kay Coppens moved, seconded by Maria Joseph, to close case 09 NUR 141 for

no violation. Motion carried unanimously.

08 NUR 459

MOTION: Maria Joseph moved, seconded by Lou Ann Weix, to close case 08 NUR 459 for

insufficient evidence. Motion carried unanimously.

08 NUR 444

MOTION: Lou Ann Weix moved, seconded by Gretchen Lowe, to close case 08 NUR 444

for S.B. for prosecutorial discretion (P2). Motion carried unanimously.

09 NUR 363

MOTION: Lou Ann Weix moved, seconded by Julia Nelson, to close case 09 NUR 363 for

insufficient evidence. Motion carried unanimously.

08 NUR 087 & 08 NUR 088

MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to close case 08 NUR 087

& 08 NUR 088 for prosecutorial discretion (P1). Motion carried unanimously.

09 NUR 270

MOTION: Kay Coppens moved, seconded by Lou Ann Weix, to close case 09 NUR 270 for

no violation. Motion carried unanimously.

OTHER BOARD BUSINESS

None.

ADJOURNMENT

MOTION: Margaret Wood moved, seconded by Kay Coppens, to adjourn the meeting.

Motion carried unanimously.

The meeting adjourned at 2:16 p.m.